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New charges laid, bail granted to 2 people after anti-COVID-19 measures protest in Moncton

By **Callum Smith** • Global News

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Protestors are seen at an anti-COVID-19-measures rally outside of city hall in Moncton, N.B. **Callum Smith / Global News**



New charges were laid Thursday against three people who were arrested at an anti-COVID-19-measures protest in Moncton last weekend.

Two of them have been released from custody following a bail hearing.

Approximately 25 or so protesters gathered at city hall Sunday in a region that remains under the red phase of New Brunswick's [COVID-19](#) recovery plan; some had face coverings on while others did not.

Britney Green, 31, from Bathurst; David Robert West, 54, from Riverview; Nicholas DeAngelis, 34, from Bathurst, all appeared in Moncton provincial court by video link for bail hearings Thursday.

Green is charged under the Emergency Measures Act, alleging she was participating in an outdoor gathering of more than five people where people were within two metres of each other without wearing face coverings. This charge replaces one previously laid on Monday.

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READ MORE: [Several arrested in anti-COVID-19-measures protest in Moncton, N.B.](#)

Following an incident on Dec. 31, Green is accused of violating the Emergency Measures Act by failing to wear a mask in a public place.

She also faces criminal charges stemming from that same day, alleging she caused a disturbance by “screaming” at Superstore on Main Street in Moncton, mischief by interfering with use of property, resisting two peace (RCMP) officers, and obstructing a peace (RCMP) officer.

During her bail hearing testimony, Green presented a doctor’s note that said she was exempt to wear a mask “if safe to do so” due to anxiety and claustrophobia.

‘This has to stop’

Maurice Blanchard, the Crown prosecutor handling the case Thursday, asked Green where the doctor was located.

Green said the doctor was based in Ontario, and that she had a virtual visit Dec. 8.

When asked how she found this doctor, Green said it was “through an online clinic.”

During closing arguments, Blanchard said “enough is enough.”

“It’s this repeated behaviour of going out in public, not wearing a mask,” he said. “At some point, this has to stop.

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“It’s a danger to the public. The rules are ‘wear a mask... it will protect people from COVID-19.’”

He said there have been several other complaints about Green not wearing a mask, including incidents at Superstore, Wal-Mart, Sobeys, city hall protests and two other protests in Quispamsis.

2:08

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Extremists showing up at anti-mask rallies: experts – Dec 9, 2020

Blanchard objected to her release under a provision “to protect the public and to stop this continuation of offences” solely on the most recent charge stemming from the city hall protest.

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“That medical note says ‘if it’s safe to do so,’ and my point is that if you’re going out to protest where there’s large amounts of people, if you’re going to stores not wearing your mask, that’s not safe to do so,” Blanchard closed.

After deliberating, Judge Brigitte Volpé returned and noted a variety of considerations in her decision, including the medical note, the fact that evidence presented in bail hearing is different than a trial, and that Green had no prior convictions.

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“I must also say I received very little information on the implication of Ms. Green in the protest or gathering that took place on Jan. 24,” Volpé said.

“Thank you,” Green whispered after the judge announced she’d be released.

Green is expected back in court March 10 at 9:30 a.m. to enter pleas to the charges.

Bail hearings for others accused

West and DeAngelis are also accused of participating in an outdoor gathering of more than five people where people were within two metres of each other without wearing face coverings from Sunday’s protest.

Both face charges under the Emergency Measures Act, alleging they refused to wear a mask at No Frills in Shediac on Jan. 22.

They are also facing similar criminal allegations as Green from the Superstore incident Dec. 31, 2020.

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West was sent for a psychiatric assessment to determine if he could be found criminally responsible for the accusations, at the request of Guillaume LeBlanc, who was acting as duty counsel for the three accused.

Prior to the conclusion of his hearing, West voiced concern that “the world is just expecting everybody to just adjust overnight” to frequent “rule changes.”

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The judge said those comments could perhaps be made during a bail hearing.

He is due to return to court for a fitness hearing Feb. 25 at 3 p.m.

When DeAngelis appeared, also by video link, the Crown noted it was a similar case of that against Green, saying “we’re not going to argue the same case twice,” after the judge granted Green bail.

0:30

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DeAngelis said he believed he had obtained services of a “free lawyer” because of media coverage, but didn’t have the lawyer’s name.

“I know it was an unlawful arrest, that’s my side of the story,” he said. “I know I’m innocent until proven guilty.”

“Thank God,” DeAngelis said after confirming he’d be released Thursday.

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He is also expected back in court to enter pleas to the charges March 10.

The city hall protest

Some city hall protesters held signs that read phrases including: “Church is essential,” “Unmask the truth,” and “Media is the virus.”

Following the protest, Const. Hans Ouellette with the New Brunswick RCMP told Global News several tickets were issued to protesters for offences under the Emergency Measures Act.

Six individuals were arrested.



A protestor is seen at an anti-mask rally outside of city hall in Moncton, N.B. **Callum Smith / Global News**

One 47-year-old Moncton man who was arrested was released the same day.

The other five people are facing charges, Ouellette said, including three who were charged with failure to comply with orders under the Emergency Measures Act.

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Those people are Green, West and DeAngelis.

Two others were charged with resisting arrest, assaulting a peace officer and failing to comply with Emergency Measures Act order.

RCMP said 29-year-old Jonathan Rossiter of Nackawic, N.B., and 49-year-old Dawn Teakles from Moncton are facing these charges.

In New Brunswick zones under the red alert level of COVID-19 recovery, masks are required in outdoor public spaces when physical distancing of two metres cannot be maintained. In addition, outdoor gatherings are restricted to five people or less with physical distancing.

— *With files from Global News's Karla Renic*

2:03

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N.B. rotational workers say they're targeted by new isolation rules – Jan 28, 2021

Canadian COVID-19 Status

CURRENT HOSPITALIZATIONS

5,114

(7-day change: +169)

CURRENT ICU ADMISSIONS

292

(7-day change: +5)

DEATHS

43,552

(7-day average: 40)

Source: Esri Canada

Data is updated weekly on Fridays for all provinces and territories due to a change in our data provider's collection schedule.

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